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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,028	01/17/2001	Andrew J. Hirsch	NC25587	8883

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EXAMINER

NGUYEN, VAN H

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 01/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,028

Applicant(s)

HIRSCH, ANDREW J.

Examiner

VAN H NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to amendment A filed October 28, 2003. Claims 1-13 are presented for examination.

Claim Objections

2. Claims 1, 3-5, 7, 8, 10, 12, and 13 are objected to because of the following informalities:
 - the abbreviations used in claims 3-5, 7, 10, 12, and 13 should be defined.
 - “*a electronic device*” (claim 1, line 1 and claim 8, line 1) should be “*an electronic device*”

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Millar** (GB 2 292 047) in view of **Gomez et al.** (U.S. 5,196,842).

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5. **As to independent claim 1**, Millar teaches the invention substantially as claimed including a method for configuring an electronic device for operation (*a mobile station configuration...it is to be configured for communication to network station 12...software modules A, B, and C are activated; page 4, lines 1-13 and fig. 2*), the method comprising the steps of:

- storing configuration data in a memory device in the electronic device, wherein each set of configuration data defines an operating configuration for the electronic device (*software modules of microprocessor program code are stored in memory 15; page 4, lines 1-5*); and

- receiving identity data at the electronic device; determining, in response to receiving the identity data, a selected set of configuration data of the plurality of sets of configuration data (*the mobile station 10 includes an identification module 18...at least identifies one of the service networks 12, 16; page 3, lines 9-16*).

Millar does teach configuration data, but is silent on “plural sets of configuration data.”

Gomez teaches plural sets of configuration data (*plurality of system configuration parameters, each set of system configuration parameters being associated with a unique paging system identification number and a comparison means for comparing the unique system identification information decoded by the decoder means with the unique paging system identification number presently being utilized by the pager; col.3, lines 1-40*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply *plural sets of configuration data* as taught by Gomez to the system of Millar because both Millar and Gomez are concerned with configuring a device for different operation conditions as indicated by identification data received by the device.

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6. **As to dependent claim 2**, Millar teaches receiving identity data from a subscriber identity module inserted in the electronic device (page 3, lines 9-16).

7. **As to dependent claim 3**, Millar teaches the subscriber identity module comprises a Global System for Mobile Communication subscriber identity module (page 3, lines 17-33).

8. **As to dependent claim 4**, Millar teaches determining a mobile country code/mobile network code from the identity data (page 4, lines 1-35), but is silent on “matching the mobile country code/mobile network code to a selected set of the plurality of sets of configuration data.”

Gomez teaches determining matching the mobile country code/mobile network code to a selected set of the plurality of sets of configuration data (col.3, lines 1-39).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Gomez with Millar because it would have provided capability for configuring a device for different operation conditions as indicated by identification data received by the device.

9. **As to dependent claim 5**, Millar does not explicitly teach determining a group identifier from the identity data; and matching the group identifier to a selected set of the plurality of sets of configuration data.

Gomez teaches determining a group identifier from the identity data; and matching the group identifier to a selected set of the plurality of sets of configuration data (col.3, lines 1-39).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Gomez with Millar because it would have provided capability for configuring a device for different operation conditions as indicated by identification data received by the device.

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10. **As to dependent claim 6**, Millar teaches receiving identity data programmed into the electronic device upon initialization for use (*page 3, lines 9-16*).

11. **As to dependent claim 7**, Millar teaches the identity data comprises a system identification/system operator code (*page 3, lines 9-16 and page 4, lines 1-33*).

12. **Independent claim 8** is directed to an apparatus system for performing the method of claim 1, and is similarly rejected under the same rationale.

As to dependent claims 9 and 10, note the rejection of claims 6 and 7 above. Claims 9 and 10 are the same as claims 6 and 7, except claims 9 and 10 are apparatus claims and claims 6 and 7 are method claims.

13. **As to dependent claim 11**, Millar teaches the apparatus further comprises a socket coupled to the input device, the socket for receiving a subscriber identity module, and wherein the identity data received by the input device comprises subscriber identity module data (*page 4, lines 1-32*).

14. **As to dependent claims 12 and 13**, note the rejection of claims 4 and 5 above. Claims 12 and 13 are the same as claims 4 and 5, except claims 12 and 13 are apparatus claims and claims 4 and 5 are method claims.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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5. 16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.


Any response to this action should be mailed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

or fax to:

(703) 746-7239 (for formal communications intended for entry)
(703) 746-7238 (for After Final communications)
(703) 746-7240 (for informal or draft communications)

VHN
December 29, 2003


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